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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,228	09/30/2003	Masaaki Okabayashi	393032041600	6380

7590 06/01/2007  
David L. Fehrman  
Morrison & Foerster LLP  
35th Floor  
555 W. 5th Street  
Los Angeles, CA 90013

EXAMINER

LAO, LUN S

ART UNIT	PAPER NUMBER
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2615

MAIL DATE	DELIVERY MODE
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06/01/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/676,228	Applicant(s) OKABAYASHI, MASA AKI	
	Examiner Lun-See Lao	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Introduction***

1. This action is in response to the APPLICATION filed on 09-30-2003. Claims 1-5 are pending.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Stadius (US PAT. 4,635,288).

Consider claim 1 Stadius teaches a signal switching apparatus (see fig.2) that assigns a plurality of signals input to a mix bus (107) comprising a plurality of buses, to respective desired output channels assigned to respective ones of the buses, and outputs the plurality of signals via the output channels (111,112), comprising:

a plurality of checking signal generating devices (96-99) that generate checking signals different from each other (by using variable amplifier (96), equalization circuit (97) and variable resistor (99, fade); and

a checking signal input device (104, switch card) that causes the checking signals generated by said plurality of checking signal generating devices (96-99) to be

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selectively input to respective desired buses of the mix bus (107 and see col. 5 line 31-col. 6 line 35).

Consider claims 2-4 Stadius teaches that a signal switching apparatus of the plurality of buses are grouped into a plurality of groups (see fig.2); and a signal switching apparatus of checking signal input device (see fig.2 (104)) comprises a selecting device that selects desired checking signals to be input to part of the plurality of groups from among the plurality of checking signals, and wherein the checking signals selected by said selecting device are input to all of the buses belonging to the part of the plurality of groups (107 and see col. 5 line 31-col. 6 line 35); and a signal switching of said checking signal input device causes part of the plurality of checking signals to be always input to all of buses belonging to a predetermined part of the plurality of groups(107 and see col. 5 line 31-col. 6 line 35).

Consider claim 5 Stadius teaches that a program executed by a computer (see abstract), for assigning a plurality of signals input (see fig. 2 (12)) to a mix bus (107) comprising a plurality of buses, to desired output channels (111,112) assigned to respective ones of the buses and outputting the plurality of signals via the output channels, comprising:

a checking signal generating module (96-99) for generating a plurality of checking signals different from each other (by using variable amplifier (96), equalization circuit (97) and variable resistor (99, fade); and

a checking signal input module(104, switch card) for causing the plurality of checking signals generated by said checking signal generating module (96-99) to be selectively

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input to respective desired buses of the mix bus(107 and see col. 5 line 31-col. 6 line 35).

### **Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hamamatsu (US PAT. 6,795,560) is cited to show other related signal switching apparatus and program.

5. Any response to this action should be mailed to:

Mail Stop \_\_\_\_ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

**(571) 273-8300**

Hand-delivered responses should be brought to:

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lao,Lun-See whose telephone number is (571) 272-7501. The examiner can normally be reached on Monday-Friday from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian, can be reached on (571) 272-7848.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (571) 272-2600.

Lao,Lun-See *L.S.*  
Patent Examiner  
US Patent and Trademark Office  
Knox  
571-272-7501

  
**VIVIAN CHIN**  
**SUPERVISOR, PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**

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Date 05-10-2007